Previous references.

1895-96
~~191~~
(Sep. Proc.

File No. 70-95-96.
Serial Nos. 1—10.

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—10.

Mayor ~~Part D.~~ for October 96.

SUBJECT

Remission of local Cess in favour of Venkatasetty, Toddy Vend Farmer

---

1 From.
Seregoor Venkatasetty
Appeal No 1817 dt 14.11.95
Appeals against the Cess Commr's order refusing to grant a remission of Rs 1062-8-.

2 To, the Cess Commr.
No 5149 dt 4.12.95
Cess 163

G. R. S. 58

GPB—4,000—1-7-11

submitted with a report on the petitioner's complaint

3 From the Ex Comm
D. No 4564 L. No 2500 D/ 10.12.95
Ex 248 235

Forwards copy of Communication to the D.C Mysore explaining the circumstances re the above Complaint.

From, the Ex Comm
4 D. No 5923 L. No 3099 D/ 3.2.96.
Ex 313 297

Forwards copy of correspondence from the D.C. Mysore and states circumstances.

5 To, the Ex Comm
No 8313 D/ 11.3.96.
Ex 254

6. From, the Ex Comm
D. No 7134 L. No 3682 D/ 16.3.96.
Ex 385 374

Seeks the file of papers re the remission claimed by Venkatasetty

7. From, the Excise Comm
D. No 7763 L. No 3995 D/ 11.4.96
Ex 412 404

SECTION S P
FILE NO. 70-1885-96
SERIAL NO.

12

Office note.

Letter No 3692 dated 16th March 374/96 from the Excise Commissioner in Mysore.

The subject matter of the reference is, the remission of Rs 1062-8-- being the amount of local cess claimed by the Toddy Contractor of the Heggadadevankote Taluk for 1892-93.

2. The Deputy Commissioner of the Mysore District having recommended the remission of this amount, the Excise Commissioner declined to support the Dy Commissioner's recommendation

and ordered the amount being recovered from the defaulters.

3. Venkata Setti the late Contractor thereupon appealed to Government against the orders of the Excise Commissioner on the following grounds: — × Serial No 1.

(1) That though the bid for the Toddy Contract of the Heggaddedevankote Taluk for the year 1892-93 was very low, the Petitioner was persuaded by the Excise Asstt Commissioners Messrs Mc Donnell & Gopalaiengar to take up the Contract for 17,000 Rs and was led to believe that this amount included the local cess.

(2) That when the Petitioner and his Sureties were asked to sign the Muchelikes they came to know that

they had to pay local cess in addition to the amount tendered by them and consequently refused to sign the Mutchellika.

⊗ Serial No 2.

4. In forwarding the above petition to the Excise Commissioner for report, it was directed that the sale of the Petitioner's property, if under attachment, should be stayed pending the disposal of the appeal.

× Serial No 3.

5. The Excise Commissioner thereupon submitted a copy of his docket No 5250 ※ dated 7th June/95 addressed 204 to the Deputy Commissioner of Mysore, in which it was pointed out that according to the terms of the original tender, Venkatasetti was bound to pay the balance of Rs 1062-8-0 due by him

※ Serial No 3/a.

6. After some correspondence
the original records connected
with the case have been
submitted. It will be
seen from para 2 of the
original tender that Venkata
Setty offered to pay 17,000 Rs
per annum exclusive of
local cess and this fact
is borne out from the
statement marked B prepared
by Messrs Mc Donnal &
B Gopalacharyar on the 11th
June/92, though in his
report dated 26th November
1892, the Guildar brought
to the notice of the Excise
Asstt Commissioner that
Venkata Setty and his Surety
refused to sign the Muchalika
on the ground that their
tender for Rs 17,000 included
local cess, ~~and that therefore~~
& the subsequent reference made
by the Excise Asstt Commr

× Paper marked A
× of 16th March/92.

* marked C

alterations in the

※ Paper marked D.

× Paper marked E.

GOVERNMENT OF MYSORE

elicited no better reply.

7. The only point requiring orders is therefore whether Venkatasatti is liable to pay the sum of Rs. 1062-8-- with-held by him. This point being answered in the affirmative with reference to the facts set forth in the preceding para, the other question to be considered is, whether the Contractor deserves any concession ~~to~~ on the promise held out to him by the Dy Commr of remitting the balance in the event of his paying up all the arrears, which he did, on the ground that the Contract refers to the first year after the introduction of the new scheme and the farm has been worked

⊗ Paper marked G.

Sub

This work can be executed by Rs. 1062 with the enclosed Copy furnished by B.P. with his original papers connected with the case. I have not been sent up, nor has the Special Commr. visited the spot during his stay on this subject of the case - Rs. 1062 - Supdt. Rops dockets in Sub

Vide paper marked F.
Paras 11 & 12.

under difficulty, Doddy having had to be carted from Beguru for the Langur Forka with great trouble and risk across the Naga River, and the Contractor suffered heavy loss from Cholera that prevailed in the several Villages of the Taluk during 1892-93.

8. The Petitioner alleges that the original tender was filled up by the Excise Asstt Commissioner & placed before him for signature at 6-30 P.M. when they were in a hurry to leave Heggaddevankota, and that he is prepared to prove that these Officers led him to believe that the amount tendered viz Rs 17,000 included local cess.

Vide petition of 14th Nov/95.

Submitted for orders

BB
10/11/96

11/11/96

9. As called for in this Office docket No 10364 & 322 28th May 1896, the Excise Commissioner ⊗ submits the original orders of the Deputy Commissioner promising to make a recommendation for the remission of 1000/ Rupees in the event of the Petitioner paying up all the arrears due by him. The Excise Commr is not in favor of granting the remission on the grounds urged by the Petitioner, but submits that if any remission is to be granted at all, it should be on account of the loss, if any, sustained by him owing to the prevalence of Cholera and that the extent of ~~Cholera~~ loss should be ascertained from further enquiries into the matter.

⊗ Vide letter No 1253 & 95 18th August/96.

10. It will be seen from the Dr Commissioner's order marked A that a promise for the remission of 1000 Rs was held out to Venkatasetty on ~~the~~ condition of his paying up the arrears due to him. This order which is dated 5th April 1893 appears to have reached the Amildar on the 9th idem & Venkatasetti is stated to have accordingly paid 1000 Rs on the 13th towards the arrears due to him. On his paying another sum of Rs 1000/ into the Dr Commissioner's office, the Dr Commissioner sent an order to the Amildar on the 25th April to the effect that Venkatasetti's prayer for the remission would not be considered unless and until the Amildar ~~refor~~ submitted a full statement of the arrears due by him for 1892-93. The Amildar

again reported on this
30th April 1893 that the
Petitioner having paid up
all the arrears due by
him on the 29th idem, the
question of granting the
remission, might be
submitted for the sanction
of Government.

Submitted for orders

B D
9/9/96

Subd to Secy:

The original tender of Venkata-
lelli — which offers to pay
17,000 Rs and in addition local
cess at 1 anna — is conclusive.
The element of complication was,
however, introduced by the Dy Comm^r
having promised to get the local
cess remitted in case the Pet^r
paid up all arrears, which he
did. This, being in the nature
of a compromise, deserves ~~demands~~ some
consideration. ~~To be~~ I don't
think it is worth while, 4 years
after the event, to institute an
enquiry into the loss sustained
by the Contractor owing to
cholera in 1892-93, as proposed
by the Excise Comm^r.

9/9

Submitted to Secy. Govt Pro: No 11031-2 Pet 2156
dated 19th May/96.

19/9/96

Dated 20 3rd Cr.

This represents relates to the first year in which the new system came into force - The Vell-Kotelly's conclusion is not borne out by the enquiries that have still remained that he has from the beginning regarding the liability to pay the Rs 17,000 - that has been

a bad year & reached
me a day or two before
Xmas Christmas
the next year, the rents
were down to Rs
14000/- The third
year was not much
of an improvement
over the second. In
the 4th year there was
an absolute failure
- petition in which
resulted in a heavy
cut to Francis
Rangaya as is
evident from the
correspondence
which took place
in connection
with the sale for
the 5th year (1896/97)
& the Resumption
- Khanas, & repeal
Every body knows &
the hopes held
out by the Dyaroma
& am of opinion
that this is a fit
case for the exercise
of mercy by Govt.
The remission prayed

for may be reached.
An enquiry into
the extent of crop
reclaimed by the
farmer during years
such as 1892-93,
cannot now lead
to any satisfac-
-tory result-

22-9-96

Sanction
The remission prayed for
under the circumstances
is an act of grace

22/9/96

No
22
2/9

Draft approved

23-9-96

Drafted
HD
26/9/96

SECTION S. R. 189 5

FILE No. No. S.S-96 1817

SERIAL No.

Name of Petitioner, Sargoor Venkateshetty Patel

Village, Sargoor

Taluk, Heggadadevankote Tk.

District, Mysore

Date of Arzi, 14-11-95

Date of Receipt, 18-11-95

Date of Disposal,

No. of Enclosure, 2

complained of not produced.

at the Amildars Enquiry

27-11-95 of 22-6-95 produced with this, upon the terms of the Excise Commrs order

To The Excise Branch

27/11

Submitted to the Dy. Secy

28/11/95 may the Petitioner

& the Excise Inspr be called on

the 29th inst for the full

completion with three Sepoys

on the grounds stated in the

facts of the case

28/11

S. R.

Call for the record

with report -

Call of Petitioners necessity

of under attachment,

may be closed pending

the disposal of this

appeal -

2-95

ABSTRACT.

Appealing against the Excise Commrs order refusing to grant a remission of Rs 1062-8-0 to the Petr in connection with his Toddy contract for the year 1892/93, as recommended by the Deputy Comr of the Mysore district

The grounds for appeal are as follows:-

1st - Though the bid for

for the Toddy Contract of the Heggadadevan Kote Taluk for the year 1892/93 was very low. the Petr was persuaded by Excise Apth Comrs Messrs Mc Donnell & Gopal Iyengar to take up the contract for Rs 1700/-; and that they made him led to believe that this included the Local Cess of Rs 1062-8-

(2) That when they Petr & his secretaries Munshees were asked to sign the Mutchalika they came to know that they had to pay the Local cess in addition and consequently refused to sign it.

(3) That the Deputy Comr also recommended the remission of the Local cess.

Prays that orders may be issued to the Amildar not to collect the amount until the appeal is disposed of.

B.L.R.

26/4.

Over ~~Petition 1891~~

In the Government of Mysore.

Re Two rupee Stamp affixed

The humble petition of Venkata Chetty Patel of the Sargoor village in the Heggaddevan Kote Taluk

Reference 21/6/1895

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
RECD. NO. 1817 R
DATE 18-11-95

Humbly sheweth

Page 165

That your petitioner begs leave to appeal against the order of the Excise Commissioner, declining to grant a remission of Rupees 1062-8 in connection with the toddy contract of the Heggaddevan Kote Taluk for the year 1892/93, as recommended by the Deputy Commissioner of the Mysore District (vide notice* dated 22nd July 1895 from the Amildar of the Heggaddevankote Taluk) hereunto annexed.

2. That when the system of leasing the toddy Talukwar by competition was introduced in the year 1892/93 under the rules promulgated in the Mysore Gazette No 51 dated 22nd December 1892, your petitioner sent in a tender to the Amildar for Rupees 12000 — a reduction of local cess for the Heggaddevankote Taluk.

3. That subsequently the Excise Assistant Commissioners Messrs. Mc Dowell and Gopal Iyengar came to Kasaba Heggaddevan Kote

and persuaded your petitioner to increase
his tender to Rupees 17,000/- as they found that
none came forward to overbid your petitioners
tender and they further led him to believe that
the said sum of Rupees 17,000-a-a included
the Local cess of Rupees 1062-8-a. (one thousand
and sixty two rupees and eight annas) which
fact your humble petitioner is ready to prove-

4. That your petitioner therefore signed a form
which was filled up by the said Excise Assistant
Commissioners and placed before him, when
they were in a hurry at about 6-30 P.M. to leave
Weggaderawatta. That sometime afterwards
when your petitioner was asked by the Salt
Authorities to sign his Muteblika or C.-
agreement as required by the rules already
adverted to he was informed to his great
surprise and consternation by the Salt
Authorities, that over and above the rupees
17,000-a-a for which he was persuaded
to take up the contract he was required
to pay the Local cess, Rupees 1062-8-a-

5. That your petitioner and his sureties
objected to sign the Muteblika and their
objection was duly noted in the Muteblika,
which was not therefore signed at all-

6. That some correspondence therefore passed
between the Aruldar and the Dy: Commissioner
regarding the excess amount in the shape
of Local cess, which your petitioner and

7. That your petitioner also waited upon the Deputy Commissioner and protested against the injustice of his being called upon to pay Local cess, and that Appeal was pleased to direct the Amildar in his order No. 35 dated 15th April 1893 to levy from your petitioner only Rupees 17,000-- as he would recommend the remission of the Excess amount objected to (vide copy of Endorsement given by the Amildar to your petitioner No. 59 dated 9th April 1893)

+ herein

8. That your petitioner accordingly paid up his contract amount in full and the Deputy Commissioner was pleased to grant him the Contract for the following year viz: 1893/94 for Rupees 15,000--, which sum also was duly paid up.

9. That your petitioner submits that if the Deputy Commissioner was not of the opinion that he was fairly entitled to the remission of the rupees 1062-8-- claimed by him, he would not have given him the contract for the year 1893/94, the more so as the Government Rules had forbidden the renewal of a contract by a person who is in arrears under his previous contract.

10. That no demand of any kind whatsoever for the Excess amount objected to by your petitioner and his Surety was

sent to him, after the issue of the Deputy Commissioner's order No. 37 dated 26th April 1893 alluded to in para 7 supra.

11. That apparently through an oversight, the Deputy Commissioner when recommending to the Excise Commissioner the claim of one Runga Iyengar for the current year 1895/96 stated that as your petitioner was in arrears for 1892/93, he could not accept your petitioner's bid which was higher than that of Runga Iyengar's.

12. That however on your petitioner bringing the facts of his case to the notice of the Deputy Commissioner, he not only allowed him to complete with Runga Iyengar, but also represented to the Excise Commissioner that your petitioner's prayer for remission deserved favorable consideration.

13. That your petitioner submits that under the foregoing circumstances he is not liable in any way to pay the sum, which the Excise Commissioner has now ordered to be levied from him.

14. That the sum of Rupees 17,000 is in itself comparatively very high and has subjected your petitioner to a great loss.

15. That as the Excise Commissioner's order is not only opposed to the facts of the case, as set forth above, but also

most respectfully prays that the Government may be graciously pleased to send for & peruse the whole Records of the case, and the Government rules published in 1892 and grant him the remission prayed for as recommended by the Commissioner.

16. That your petitioner prays that orders may be issued to the Arachchi of the Hegga dewanthole Palath to abstain from levying from your petitioner the Excess complained of pending the disposal of this petition.

17. For which act of kindness and justice your petitioner as in duty bound shall ever pray.

Petitioner

Impsone
14th November
1895

Petitioner of
Surgeon in the
Heggaddewanthole
Taling

Gen. 31.]

1895.

SUBJECT. S.R.

FILE No. 70-1895-6

From

SERIAL No. 2

To The Revenue Commr. in Mysore.—

Dated 4/12/95.

Despatched 7

Received

General No. 5749

No. Gn: 163

Enclosure No. 1 & Encl.

Ref. No: 1817. D/14/11/95.

Petition of S. Venkata Setty, of Sargur, Hagga dadenKote Taluq appealing against the order of the Rev: Commr. declining to grant him remission of Rs. 1062-8-0 in connection with the Toody Revenue of the said Taluq for 1892/93

1- In forwarding the above & its enclosures has the honour to request that same may be returned with a report on the petitioners complaint. & the entire records of the case.

2

2

2. The sale of petitioners property, if under attachment may be stayed pending disposal of this appeal

B. 6

4-12-95

Rent: Secy:

S. R. J.

2/12

Excise.]

Submitted with references noted. For perusal & suggestive remarks. Records promised & may be annexed. A reminder sent a week hence if not received 14/12/95

14/12/95

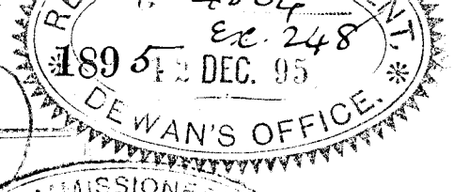
1.97

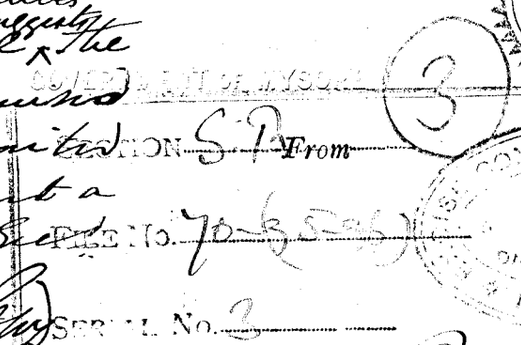
Yeo C

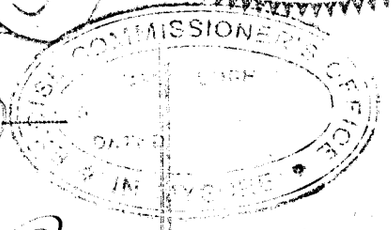
15-12-95

Excise

Yeo C







The Secy. to the Govt. of Mysore,

~~Dept~~

Dated 10th December 1895.

Despatched 12

Received

General No. 2500

No. 235

Enclosure No. Only

In reply to docket No. 5149 4:163, dated 4/7th December 1895.

SUBJECT

Forwards copy of communication to the Deputy Commissioner, Mysore District, explaining the circumstances under which Potti Venkata Shetty is bound to pay the balance of Rs 1062-8-0 due by him on account of his lease of the Heggadadevankote Taluk for 1892-'93.

References (to be entered only in the Dewan's Office.)

Rev-Excise
M 12/12/95

3

Excise Commissioner's Office

No. 2500/235 (E) Bangalore 10th/12 December 1895.

(S)

From,

The Excise Commissioner
in Mysore.

To,

The Revenue Secretary to the
Government of Mysore.

Sir,

In reply to your docket No. 6149/47:163, dated 4/7th instant, I have the honor to submit, herewith, copy of my docket No. 5250/204, dated 7th June 1895, to the Deputy Commissioner Mysore District, explaining the circumstances under which Potel Venkata Shetty is bound to pay the balance of Rs 1062-8-0 due by him on account of his Toddy lease of the Heggadadevenkote taluk for the year 1892-93.

2. The Deputy Commissioner

Mysore

Mysore District, has been
requested to submit the entire
records of the case, which
will be forwarded to Government
on receipt.

I have the honor to be,
Sir,
Your most obedient servant.

S Thuketta
Excise Commissioner
M. S. in Mysore

From

The Excise Commissioner
in Mysore.

To. Enclosure to SL3

The Deputy Commissioner
Mysore District.

Dated 7/8 June 1896.

No. 5-250/204, Enclosure 1.

(3/2)

The Deputy Commissioner's letter No. 1942, dated 1st June 1896.

In reply has the honor to invite attention to the Special Officer's docket No. 1086 dated 28/30th November 1892, with which the original tender of Patel Venkata Shetty for Rs 17000 excluding Local cess, was sent to the Deputy Commissioner for information. It will be seen that in the said tender Venkata-Shetty has clearly stated that he offers to pay Rs 17000 per annum and also a Local cess of one anna on every rupee thereof, by twelve equal monthly instalments, for the Goddy Vend Farm of the Heggeddevenkota Taluk for the year 1892-93. Venkata Shetty appears to be well acquainted with Kanarese, and he has duly signed the tender which has been prepared in a printed form.

2. It has been ascertained from the clerks who

who accompanied the Special Officers at the sales of the Loddy Vend Farms for 1892-93 that the original Kanarese sale Pattys were invariably retained in Taluk Offices and that they were never sent to the Special Officers. A copy of a statement prepared and signed by both the Special officers at the time of the sale, showing the results of the sales, is herewith sent for information. This list also shows that Rs 17000 do not include Local cess, but that the amount of Local cess payable thereon, viz Rs 1062-8-4 was separately calculated and added at the bottom making a total of Rs 18062-8-4. Under such circumstances, Patel Venkatashetty is bound to pay the balance of Rs 1062-8-4 due by him without further delay.

(Signed) L. Ricketts.
Excise Commissioner
in Mysore

Copy"

L Ricketts
Excise Commissioner
in Mysore.

Exhs.]

Submitted

Ref. 7/2/96

In the matter

2/3/96

Rec'd 5/2/96

REVENUE DEPARTMENT
1896 No. 5923
EX 313
5 FEB. 96
DEWAN'S OFFICE.

SECTION S. 12

From S.S. 96

The Excise Commissioner in Mysore.

SUBJECT No. 4

To Revenue

The Secy. to the Govt. of Mysore,

~~Dept.~~

Dated 3rd February 1896.

Despatched

Received

General No. 3099

No. 297

Enclosure No. 2

~~In reply to~~ Para. 2 of this Office letter No. 2500/235, dated 10th December 1895.

SUBJECT

Forwards copy of correspondence from the Deputy Commissioner, Mysore District, and states that the reasons for declining to recommend the remission asked for by Venkata Shetty, late Toddy Vend Farmer of Heggadadevankote Taluk, are given in this Office letter No. 2500/235, dated 10th December 1895.

References (to be entered only in the Dewan's Office.)

Excise Branch

5/2/96

The material papers on which the dispute can be decided are not forwarded. Mr. McDonnell says he does not know. The Excise Comr. should be requested to refer to Mr. Gopalenger the other Special Officer from whom what was stated in the Copy of his letter referred to in Exc. Comr's letter to Dy C. No. 5250/204 d. 7-6-95 & other Copies available may at least be sent up.

May a reply be sent to this effect?

To the Secy

HBL 7/3/96

Yes. Also request the Exc. Comr to have a search made in his office for the letter & all other

16

Dated Bangalore, 3rd February 1896

No. 3099/297 Exc. 2.

From

The Excise Commissioner in Mysore

To

The Revenue Secretary to the Government of Mysore

Sir,

Adverting to para 2 of my letter No. 2500/235, dated 10th December 1895, I have the honor to forward herewith, copy of the marginally noted Correspondence from the Deputy Commissioner, Mysore District, and to state that the reasons for the Excise Commissioner's declining to recommend the remission asked for by Venkata Shetty, late Toddy Vend Farmer, Heggeddevenkote Taluk, are given in my docket-No. 5250/204, dated 7th June 1895, a copy whereof was submitted to Government with my letter No. 2500/235, dated 10th December 1895.

1. Letter-No. 1942, dated 1st June 1895.
2. Docket-No. 1152, dated 9th January 1896.
3. Docket-No. 1322, dated 31st January 1896.

2. The original Petition of Venkata Shetty received with your docket-No. 5666/Ex.185, dated 18th/20 December 1895, is herewith returned.

I have the honor to be
Sir,
Your most obedient Servant

V Shetty
Excise Commissioner
in Mysore.

Deputy Commissioners Office

No. 1942 GOVERNMENT OF MYSORE Mysore District

Dated 1st June 1895

From.

A. Rangasami Iyengar Esqr. B.A. B.L.
Deputy Commissioner
Mysore District

To

The Excise Commissioner
in Mysore.
Bangalore

Sir,

I have the honor to State that Patel Venkata Setti of Sargoor in Heggadadevenkote Taluk obtained the lease of Toddy Vend Farms of that Taluk for the year 1892-93.

2 When the mutchalikas were executed he contended that his bid was only for Rs 17000 inclusive of local cess and not excluding it as he was told. Whereupon a reference seems to have been made by the then Amildar of the Taluk to the Special officers who conducted the Sales.

3 In his docket No. 1404-411 dated 10/12th September 1892 the Special Excise Assistant Commissioner complained that

Mutchalikas

properly. Whereupon the Amildar was directed to do the needful without delay and Submit the mutchalikas to the Special officers as requested.

4. The Amildar reported on 21st September 1892, stating that the Contractor had been refusing to sign the mutchalikas on the Score that he would not bind himself to pay Rs 18000 when he had agreed to pay only Rs 17000 inclusive of local cess.

5. In order No 16 dated 24th September 1892 the Amildar was directed to Submit the Sale list and the records connected therewith.

6. On 26th November 1892 the Amildar reported that the original Sale list as well as the complaint petition of the Contractor were taken away by the Special officers themselves and there were no records in the Taluk, and that he had Submitted the mutchalikas to the Special officers

In docket No 1086 dated 28th November 1892 the Special Excise Assistant Commissioner requested that as Patel Venkata Setty the purchaser of the

the Degradadaren Kote Talukk continued
to object to sign the Mutchalikas the
Amildar might be directed to take
the needful action in the matter.

7. This was referred to the Amildar
in original together with references
for immediate action.

8. The Amildar returned the Mutchalikas
duly signed by the Contractor under
protest as detailed on the other side
of the Mutchalikas.

9 The whole correspondence was
forwarded to the Special Excise
Assistant Commissioner with this
office Dc. 119 dated 3rd January 1893.

10 Another petition on the subject
by the Contractor was also referred for
disposal to the Special Officers on
3rd February 1893, who have failed
to return the paper or to intimate
their decision

The contract refers to the first year
after the introduction of the new
Scheme, and the Farm has been
worked under difficulty.

Toddy has to be carted from
Kanur for the Sarcar Fisika with

great trouble and risk across the Kugu River. The contractor also complained that he suffered heavy loss from Cholera that prevailed in several villages of the Taluk during 1892-93, and under these circumstances I think it proper to forgo the excess especially as the Contractor has paid the Sum of Rs 17000 which he had admitted.

I have &c
(Signed) A. Rungasamy
Deputy Commissioner
Mysore District

From.
The Deputy Commissioner
of the Mysore District

To
The Excise Commissioner
in Mysore

Camp Begur 9th January 1896.

No 1152.

Enclosure. 1 Petition

His official memo No 2706 of 136
the 23rd december 1895 forwarding
copy of the Revenue Secretary's docket
No 5666 of the 18th idem enclosing
Ex 185
a petition of Patel Venkatasetty and
requesting

requesting that action against the petitioners
property may be stayed pending orders
of Government and that the record
of the case may be forwarded.

GOVERNMENT OF MYSORE

Begs to state that the record of the
case which were sent to the Special
Assistant Commissioner as already
explained in paras 10 and 11 of this
office letter No. 1942 of the 1st May 1895
have not been received back in this
office.

2. The petition received with the
above is returned herewith. Coercive
proceedings have been stopped.

(Signed) B. K. Venkatavaradaiya
Deputy Commissioner of
the Mysore District

From

The Deputy Commissioner
of the Mysore District

To

The Excise Commissioner
in Mysore

Dated 31st January 1896.

No 1322

Enclosure 1 Petition

His docket No 2880/148 of the 18th
January

January 1896, to be furnished with the views of the undersigned in the matter of Venkatasetty's claim for the remission of the Toddy Khist for 1892-93.

---

1. The case is simply this.
2. The Special officers that held the toddy Sales for 1892-93 say that the right of vending toddy in the said years in the Heggadadevankote Taluk was sold to the petitioner for Rs 17000. exclusive of local cess, but the petitioner says that the amount included the local cess. The agreement taken from him at the time of the Sale is not here. It was sent with the papers connected therewith to the Special officers with this office yadi No. 119 of the 3rd January 1893, as already stated in this office letter No. 1942 of the 1st May 1895. What became of them may be ascertained there from Mr. McDonnell. As the allegation of the petitioner appeared to be true the late Deputy Commissioner in the said letter of 1st May 1895 recommended

that

Note

1. The Mysore Oil Papers were disposed of by the Gospel Dyngar in Conformity with the Dy. Com.
2- From 10th Nov 92 to 10th July 93 Mr McDonnell was on leave & the Asst Com. was in charge of Toddy work -
3. The yadas quoted here cannot be in the Asst Com. office
4. Com. Mr McDonnell knows nothing of these papers

2/3/96 } D. Com. Asst. C.

that the excess amount of Rs 1062-4-0 demanded of him might be permitted but the Excise Commissioner declined to support the recommendation in his docket No. 5250/204 of the 7th June 1895.

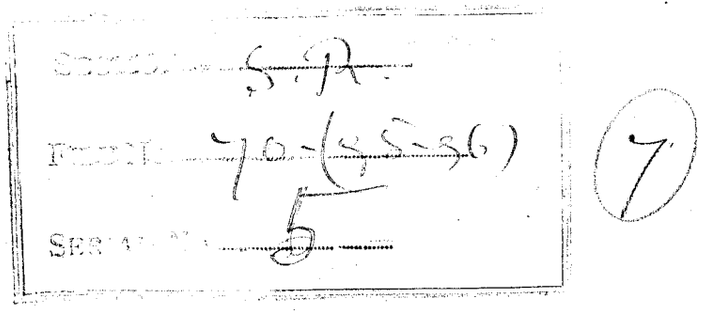
3. The petition received with the memo under reply is herewith returned.

(Signed) B. K. Venkatavaradaiya
Deputy Commissioner of the
Mysore district

"Copy"

Rhodes
Excise Commissioner
in Mysore

Hearing P. No 28, 24



(7)

Secy's Docket No 8313 & 11-3-96
Ex. 254

is missing

Excise.]

SECTION S 12
FILE NO. 76 (85-96)
SERIAL NO. 6
1896 No. 7134 EX 385
20 MAR. 05
DEWAN'S OFFICE.

From

The Excise Commissioner in Mysore.

To

The Secy. to the Govt. of Mysore,

~~Dept.~~

Submitted with the previous references. The original tender ~~2/4/96~~ and the Statement referred to in Excise Comr's No: 5250/204 to Dy. Comr of Tumkur (forwarded an enclosure to serial No: (3.)) have been forwarded with this letter.

2/4/96

Dated 16th March 1896.

Despatched 19th do

Received

General No. 3692

No. 374

Enclosure No. 2 and 1 file.

In reply to Docket No 8313 / Ex: 254, dated 11th March 1896.

SUBJECT

Submits the file of papers found amongst the late Special Officer's records, relating to the remission claimed by Venkatasetty, Toddy Vend Farmer, Hegadadavenkote Taluk, for the year 1892-93

Rev 207/96

References (to be entered only in the Dewan's Office.)

Excise Br

20/3/96

Respectfully.

1/4

18

No: 3692 En: 28 1/2
3774

GOVERNMENT OF MYSORE

Excise Commissioners Office
Bangalore 16th March 1896.
19

From

The Excise Commissioner
in Mysore,

To

The Secretary to Government
General and Revenue Departments.

Sir,

In reply to your docket No: 8313/Ex 254, dated 11th instant, I have the honor to state that among the records of the late Special Officers, the docket No: 1086, dated 28th November 1892, with its enclosures addressed to the Deputy Commissioner, Mysore District, has been found. The whole file is herewith submitted, together with the statement referred to in this Office No: 5250/204, dated 7th June 1895: It will be seen from the Tender of Venkatashetty, which is on the file, that he has offered Rs 17,000, plus

local

local cess at one anna on every rupee of the said amount.

2. Venkatashetty's Petition No: 1817, dated 18th November 1895, together with its enclosures, is herewith returned.

I have the honor to be,

Sir,

your most obedient & Servant

M Mercara

Excise Commissioner

in Mysore

V.N.

Excise.]

Submitted for orders.

The previous reference connected with this subject was submitted to the Hon'ble Secretary on the 13th Instant.

16/4/96

16/4/96

SECTION S.R.

From

The Excise Commissioner in Mysore

To

The Secy. to the Govt. of Mysore,
General & Revenue Dept.

REVENUE DEPARTMENT
No. 7789
E+412
APR 96
DEWAN'S OFFICE.

Dated 11th
Despatched 14th } April 1896
Received

General No. 3995
No. 404

Enclosure No. 1

In ~~reply to~~ continuation of this Office letter No. 3692/3741 dated 16th March 1896

SUBJECT

Forwards copy of communication from Mr. Gopalaiengar, Assistant to the Amrit Mahal officer, reporting on what terms the Toddy Vend Farm of the Heggeddevenkote taluk for 1892-93 was given to Venkatasetty

Rev Dep. 15/4/96

References (to be entered only in the Dewan's Office.)

Recd 16/4
15/4

79

Excise Commissioner's Office

No. 3995 Exc: 1
404

Bangalore, dated 11th April 1896
14th

From

The Excise Commissioner,
in Mysore.

To

The Secretary to the
Government of Mysore
General & Revenue Departments

Sir,

In continuation of my letter No. 3692/374, dated 16th/19th March 1896, I have the honor to forward, herewith, copy of letter of the 10th instant from Mr. Gopaliengar, Assistant to the Amrit Mahal officer, reporting on what terms the Soddy Vend farm of the Heggeddevenkote taluk for 1892-93 was given to Venkata Setty.

I have the honor to be,

Sir,

Your most Obedient Servant

J. Narasinga

Excise Commissioner,
in Mysore

Bangalore 10th April 1895

GOVERNMENT OF MYSORE

To

The Excise Commissioner
in Mysore.

Sir,

With reference to your Memo I have the honor to Submit that on a reference to my private notes, I find that the Toddy Contract of the Heggadadevenkote Taluk was given to Venkatasetty as per following particulars:-

Government Rupees	15,998
Inam Shops	
Jakkur	Rs. 120
Moligur	108
Bidarhalli	120
Kittur	144
Sagara	84
Gangadahosahalli	180
Herlay	132
Inam groves	
Sagara	54
Gangadahosahalli	60
Total Rs	17,000
Local cess Rs	1062-8-0
	18062-8-0

Muchalika was accordingly executed by Venkata Setty and attested by the Amildar. All tenders and Settlement papers were in charge of Mr. Macdonnell. If I remember right, that officer was also present at the time of Settlement. Our Settlements were, as a rule, effected without reference to written tenders, as in almost all the Taluks, the tenderers undervalued the Shops and groves and in Several instances mixed up Arrack and Government Shops and groves together.

I have &c.

(Signed) B. Gopaliengar
Assistant to the Amrut
Mahal Officer.

"Copy"

J. Muscatt

Excise Commissioner
in Mysore.

SECTION S.R (10)

70-85-96)

Ex. 132

7 9

76

The Excise Commissioner
in Mysore

No 10364 of 28-5-96
Exh 322 29

Correspondence ending with
~~His~~ letter No ~~3692~~ 3995/404 dated 11th
April ~~16 March~~ 1896 ~~forwarding~~ on the subject of
~~papers detailed~~ the claim
of Patel Venkataseth of
Saragur to a refund of Rs.
1062-8-- in connection
with his Toddy Contract
of the Heggadevankote Taluk
for 1892-93.

1. Dy/ forwarding order to the Amildar of Heggadevankote No 35 dated 5-4-93
2. Amildar's Endorsement thereon to Pat. Venkataseth No 59 dated 9-4-93.

With reference to the
above has the honor to
request that the marginally
noted order and endorsement
referred to by Venkataseth
in his petition of appeal
may be obtained and

23

forwarded to this office,
together with information
as to the date or dates on
which the Petitioner paid
up the balance alluded
to in the order, and remarks,
if any, which the Excise
Commrs may wish to make
with reference to these papers.

By order

28/5/76

Jt Secretary

Gen. 30.

S.R.

1896

From

The Excise Commissioner
in Mysore.

To

The ~~Chief~~ Secretary to the
Government ~~Dewan~~ of Mysore.

Dated 18th August 1896

Despatched 22nd Do

Received

Enclosure No. 1 and 1 fb

General No. 1255
No. 95

In reply to Docket No 10364
54:322,
dated the 28th May 1896.

SUBJECT.

Submits with opinion copy of communication from the Deputy Commissioner, Mysore District, together with its original enclosures, relating to the claim for remission preferred by Venkatsetty, Toddy Vend Farmer, Heggadadavenkote Taluk for 1892-93.

Rec'd 24/8

References (to be entered only in the Dewan's Office.)

Submitted with Office note in continuation.

9/9/96

Letter received in reference on 7/8/96

Gl. No. 1532
No. Ex 96
24 AUG. 96
DEWAN'S OFFICE.

GOVERNMENT OF MYSORE

Bangalore, 18th / 22nd August 1896.

No: 1255

95

Enc: 1+1 file

From,

The Excise Commissioner
in Mysore

To,

The Secretary to the
Government of Mysore
Revenue and General
Departments.

Sir,

In reply to your docket No: 10364 / EX-322 of the 28th May 1896, I have the honor to submit, herewith, copy of docket No: 420, dated the 12th instant, from the Deputy Commissioner, Mysore District, together with its original enclosures, relating to the claim for remission preferred by Venkatasetty, Toddy Vend Farmer, Heggadadevankote taluk for 1892-93, and to state that it will be seen from the Mysore District Deputy Commissioner's Kannarese order No: 35, dated the 5th April 1893 that he promised to recommend a remission of Rs 1000/- in favor of Venkatasetty provided

arrears within five days.
Venkatasetty failed to pay up the re-
-maining arrears within five days.
He has put down Rs 17,000 plus one anna
local cess on every rupee thereof, in the
printed form of tender which is in
Canarese with which he seems to
be well acquainted. Whatever other
reason may exist to justify or neces-
-sitate a remission to Venkatasetty,
that reason could never certainly
be admitted to be the alleged mis-
-apprehension under which he
says he purchased the Farm. Namely
that the amount of 17,000 was only
offered by him and that this did
not include the local cess. I cannot
but think, in fact, I do believe that
the sale Patty has been wilfully with-
-held or destroyed in the Taluk Office
to help Venkatasetty in his agetation
to obtain the remission of the one
thousand. Strictly adhering
to the documents bearing on the
point, most important of which

is

officers who cannot be doubted, the remission should be granted because it is claimed on a ground not true But it is nevertheless a fact that Mr. Rungasawmy Dyengar was inclined and went so far as to promise his recommendation for remission. This was on the ground that, the year in question was the first in which the sales of farms under the current system were held and that the toddy had to be sent from a distance. These two reasons do not seem sufficient to admit a plea which is put up but which is seen to be such, as could not be taken or believed to be correct or true. The Deputy Commissioner repeats the Contractor's complaint that he suffered a loss because cholera prevailed. But that officer does not substantiate the statement, nor has any enquiry been made to determine

the

the degree of loss. To admit such
reason in one, without very reliable
proof, would be a very undesirable
precedent, and a very inconvenient
one.

Remission on the ground
claimed could scarcely be granted.
If it is to be granted on any other,
such as loss, for prevalence of
cholera, further enquiry appears
necessary to determine the extent
of loss

I have the honor to be,

Sir,

Your most Obedient Servant

J. M. Turnbull

Excise Commissioner

in Mysore

GOVERNMENT OF MYSORE

From

The Deputy Commissioner
of the Mysore District

To

The Excise Commissioner
in Mysore.

Dated 12th August 1896.

No. 420

Enclosures No 10.

His official memorandum No. 4885/229 of the 1st June 1896, forwarding copy of the Secretary's No. 10364/Ex. 322, dated the 28th May 1896, calling for further information in the case of Venkata Setty, toddy Vend Farmer of the Heggadadevankote Taluk for 1892-93, and requesting to be informed how he managed to secure the toddy Vend farm of Heggadadevankote taluk for (12 months) 1893-94 for Rs 14726/4 including local cess against Rs 18062-8-0 for the previous year; and his reminders Nos 5416/265 of the 30th June 1896 and 1006/33 of the 8th August 1896.

Has the honor to forward herewith as

5th April 1893 to the Amildar of the Heggadadevankote taluk and to state that the endorsement referred to by Venkata Shetty in his petition of appeal is not in this office.

2. The balance referred to in order no. 35 of the 5th April 1893 and in order no. 37 dated the 25th April 1893 viz Rs 1922-7-11 was paid by Venkata Setty on the 29th of April 1893.

3. With reference to the query as to how Venkata Setty got the toddy Vend Farm of Heggadadevankote for 14726½ Rupees for 12 months of 1893-94, when the amount for the previous year (1892-93) was Rs 18062½, the undersigned is unable to account for the fall, as he was not in this District when the sales for those years took place. The amount for 1894-95, 1895-96 and 1896-97 are respectively Rs 15172½, Rs. 19125 and Rs 17600 including local cess. This shows that the figures for the first and the 4th years (1892-93 and 1895-96) were somehow abnormally high.

(Sd) B. K. Venkataraadiengar
Deputy Commissioner
of the Mysore District

"Copy"

Excise Commissioner
in Mysore

GOVERNMENT OF MYSORE

S. P.

(Read 96)

SECTION — 10

(13) 41

Correspondence ending with letter no 1255/95 dated 18th August 1896 from the Excise Commr. re the claim for remission of Rs 1000/- preferred by one Venkatasetty, Toddy vend farmer, Heggeddevankote Taluq for 1892-93

Order: No. 35 79-80 & 1.10.96
Ex. 137 5

Venkatasetty took up the Toddy vend farm of the Heggeddevankote Taluq for 1892-93 for an annual rental of Rs 17000/- exclusive of local cess. His present contention, that his ~~offer~~ bid included local cess, also is not ~~to~~ borne out by the original Tender in which he has clearly admitted his liabili-

17000 annas
Dist Mgr
Mysore Dist.
& D-Excise
29-9-96

Submitted.
The D/Mysore has promised to make a recommendation for the remission of Rs 1000/- & his communication is awaited in this draft. Please see Commissr's proceedings dt. 18/8/96 wherein he has recommended the remission of Rs 1000/- only. The balance amount of Rs 1062-8-0 is to be recommended, the bid amount being Rs 17062-8-0. bid for vend.

29/9/96

~~The~~ The amount now due is only Rs 16000; this may be omitted; anything more will be taken thereafter.
Subsidiary
30/9

all right
Spull
1-10-96

Rs 17000/-

2. It is however ~~good~~ clear from the correspondence that the year to which the contract relates was very unfavorable and resulted in a loss to the petitioner, owing to the prevalence of cholera and other causes. Having regard to these circumstances and also to the heavy balance which was then outstanding against the vend Farmer, the Deputy Commr promised to recommend a remission of Rs 10000/- (local cess) ~~would be submitted to Govt~~ provided the Farmer cleared up all the arrears, which he accordingly did on the hopes held out to him.

3 The Excise Commr in his letter read above proposes that, if any remission is to be granted on the score of the prevalence of cholera, further enquiry should be made with a view to determine the extent of loss sustained by the vend Farmer. Govt consider that an enquiry into the matter which occurred so far back

as 1892-93 could, ~~in the opinion of Govt.~~ now hardly lead to any satisfactory result.

4. Under ~~the circumstances~~ all the circumstances of the case, Government are pleased to sanction as an act of Grace, the remission of Rs 1000/- prayed for by the Farmer.

Secretary 24-9-96

28/9

26/9/96

24/9/96.

To

The Excise Commr
returns the Ver papers.
" Comptroller

7 Forwards copy of communication from the Superintendent, Central Jail to the Chief Medical Officer regarding Veerakatty.

8. To, the Excise Commr
No 10364 dt 28.5.96.
Ex 322
Requests to obtain certain orders and endorsement referred to by Veerakatty & to forward them with his opinion.

9. From, the Ex Commr
D. No 1532 L. No 1255/95 dt 18.8.96
Ex 96
Submits copy of communication from the D.C. Mysore, with his opinion

10 To, the Ex Commr
the Comptroller
No 3579.80 dt 1.10.96
Ex 137
Sanctions the remission of Rs 1000/- prayed for by Veerakatty.

Indexed

K. B. Thammanna

Compiled
Examined